

Filed: January 14, 2000

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

No. 99-2244
(CA-99-2304-PJM)

Health Care and Retirement Corporation, etc.,

Plaintiff - Appellee,

versus

Erma J. Istvan,

Defendant - Appellant.

O R D E R

The court amends its opinion filed December 21, 1999, as follows:

On the cover sheet, section 3 -- the spelling of Appellant's name is corrected to read "Erma J. Istvan."

For the Court - By Direction

/s/ Patricia S. Connor
Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2244

HEALTH CARE AND RETIREMENT CORPORATION OF
AMERICA, d/b/a HCR-Manor Care Health Services,

Plaintiff - Appellee,

versus

ERMA J. ISTVAN,

Defendant - Appellant,

and

DELLA SHUMAKER, HCR-Manor Care Health Services,

Defendant.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-
99-2304-PJM)

Submitted: December 16, 1999

Decided: December 21, 1999

Before MURNAGHAN and MOTZ, Circuit Judges, and BUTZNER, Senior Cir-
cuit Judge.

Dismissed by unpublished per curiam opinion.

Irma J. Istvan, Appellant Pro Se. John M. G. Murphy, OBER, KALER, GRIMES & SHRIVER, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Erma Istvan appeals the district court's order (1) finding that it lacked subject matter jurisdiction over this action raising the state law claims of breach of contract, quantum meruit, and negligence; and (2) remanding the case to the Maryland state court from which it was improperly removed. Under 28 U.S.C. § 1447(d) (1994), an order remanding a case to the state court from which it was removed is not reviewable on appeal except in circumstances not applicable here. Accordingly, we dismiss the appeal for want of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before us and argument would not aid the decisional process.

DISMISSED